



COUNTY OF LOS ANGELES

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October 17, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

SUBJECT: **PROTOCOLS FOR NOTIFICATION OF SEWAGE SPILLS**

On January 30, 2007, the Board approved Supervisor Knabe's motion, as amended by Supervisor Yaroslavsky, concerning the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills. Sections 1 and 2 of the motion contained the following instructions:

1. Direct the Director of Public Health, in close consultation with the Public Health Commission, Auditor-Controller, Chief Administrative Officer and County Counsel to:
 - a. Lead a project to pursue all 15 Auditor-Controller recommendations to conclusion,
 - b. Assume personal accountability for the results,
 - c. Designate a senior manager to serve as day-to-day project manager and advise the Board of his/her selection within one week,
 - d. Work closely and consultatively with affected County Departments and Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies,
 - e. Submit in no more than 60 days and present to the Board as a set item on April 3, 2007, the approach proposed to implement each recommendation along with an action plan and time table to accomplish the specified results,
 - f. Include as part of the project plan the additional task of critiquing the County's public health disaster response plans based on the improvements planned as a result of the Auditor-Controller's report, and
 - g. Provide monthly project status reports to the Board pending the Auditor-Controller's one year follow-up report, and
2. Instruct the County Fire Chief, the Directors of Public Works and Beaches and Harbors, and request the County Sanitation Districts, the Los Angeles Regional Water Quality Control Board, Heal the Bay, Santa Monica Baykeepers, the City of Los Angeles and all other affected constituencies to work with the Director of Public Health and his staff in this effort.

On April 3, 2007, the Board approved a motion by Supervisor Knabe, that the Board, consistent with the Auditor-Controller's recommendation, instruct the Director of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, County Counsel and affected agencies and constituencies, to determine whether State laws should be amended to further ensure the protection of the public's health when raw sewage is discharged into dry riverbeds and other locations. Action and status reporting on this matter has been integrated with that of the other sewage spill-related recommendations previously approved by the Board.

On February 6, 2007, I sent you a report in which I named the day-to-day project manager and provided you with an update on actions taken as of that date. On March 5, 2007, I provided you with the first monthly status report. On March 30, 2007, I provided the sixty-day report for the Board agenda of April 3, 2007. On May 11, June 15, and August 22, 2007, I provided monthly status reports.

This is the sixth monthly status report. Attached are the 16 recommendations of the Auditor-Controller with the current status of each recommendation. Also attached is an action plan and time table to accomplish the specified results for the non-legislative recommendations. The CEO will include updates on the legislative changes as part of its regular legislative status reports to the Board.

On July 10, 2007, Environmental Health staff met with representatives from the Auditor-Controller's Office to discuss the Board motion and the status of the sixteen (16) recommendations of the Auditor-Controller's report. The purpose of the meeting was to provide an overview of the status of each recommendation in preparation of the Auditor-Controller one-year report back to the Board.

Each recommendation was discussed; however, emphasis was placed on those recommendations in which Public Health was accountable for completion. This included recommendation numbers 4, 6, 10, 11, 12 and 16. Environmental Health provided a summary of the actions taken to date and the direction in which the Department was headed. On July 13, 2007, Environmental Health provided the Auditor-Controller with copies of letters, minutes of meetings, recommendations, and monthly reports to the Board, etc., as requested during the meeting of July 10, 2007.

On August 2, 2007, the Auditor-Controller facilitated a meeting between Environmental Health and the Regional Water Quality Control Board in order to discuss common goals for spill reporting. Both parties agreed that appearance before the Public Health Commission is needed in order to gain input from the Commission regarding the proposed education plan for sewer operators.

On August 23, 2007, representatives from Public Health, the Regional Water Quality Control Board, County Counsel, the Chief Executive Office, and the Auditor-Controller's Office met with the Public Health Commission to discuss the status of the recommendations of the Auditor-Controller's report. At this meeting the Commission recommended that Public Health 1) make revisions to the Environmental Health website to make it more user friendly, 2) explore the possibility of shortening the time frame for implementing the sewage spill tracking system, 3) make recommendations on how the Commission can assist in developing the educational program, and 4) delineate more specifically a response to recommendation #16 and report back to the Commission.

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On September 27, 2007, Environmental Health and the Internal Services Department (ISD) met with the Public Health Commission to outline the status of the sewage spill reporting system as well as provide an overview of the proposed education plan for owners/operators of sanitary sewer systems. On October 11, 2007, Environmental Health presented drafts of educational brochures for the Commission's review and comment. The Commission was also advised that its suggested website revisions were completed, including the addition of uniform time reporting for all incidents and information pop-ups defining each reporting column.

I will provide you with the next monthly report by November 13, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:701:010(8)

Attachment

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller
Director of Internal Services
Public Health Commission

**AUDITOR CONTROLLER'S RECOMMENDATIONS
REGARDING SEWER SPILL NOTIFICATION
STATUS REPORT – October 17, 2007**

1. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to:**
 - a. **At a minimum, operate and maintain their sewer system equipment at the level specified by the equipment's manufacturer with additional maintenance performed as necessary to prevent sewage spills from occurring.**
 - b. **Perform regular tests of their pumping station alarm systems, backup pumps, and electrical generators to ensure they will function as intended during an emergency.**
 - c. **Maintain documentation to support all maintenance and testing of their sewer systems.**
2. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in Los Angeles County.**
3. **The Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Los Angeles County NPDES permit and WDR to require sewer system owners/operators to seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program. The program would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. **Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller's recommendations;**
- b. **Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and**
- c. **Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.**

4. **The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory timeframe for reporting a sewage spill to the County's Public Health Officer.**

On February 14, 2007, Environmental Health staff met with Rita Robinson, Director of the City of Los Angeles Bureau of Sanitation and key staff to discuss spill reporting procedures and implementation concerns.

On February 23, 2007, Public Health staff met with representatives of the following stakeholders: City of Los Angeles Sanitation Bureau, Los Angeles County Sanitation Districts, Regional Water Control Board, City of Long Beach Environmental Health, City of Pasadena Public Health Department, Heal the Bay, Santa Monica Baykeeper, County departments of Auditor-Controller, Beaches and Harbors, County Counsel, Internal Services, Public Works, and representatives of Assemblypersons Julie Brownley and Ted Lieu, and the Third Supervisorial District.

The purpose of the meeting was to review the Board of Supervisors' January 30, 2007 motion and action; review the Auditor-Controller's report on failed protocols which delayed notification of the Health Officer of sewer spills; review current legislation regarding sewage spill reporting; review actions taken to date in response to the Board's motion and Auditor-Controller's report; and to discuss the preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendations.

At this meeting, three subcommittees were formed for the purpose of determining spill reporting timeline requirements; developing a contractor notification/reporting policy; and developing a regional reporting call center.

A letter was mailed to the cities of Pasadena, Vernon, and Long Beach (cities with local health departments) requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.

On March 13, 2007, Environmental Health staff met with staff from the Internal Services Department (ISD) to discuss and evaluate the existing emergency call system and to clarify Environmental Health's emergency call list and procedures. A revised call list along with instructions was sent to ISD on March 16, 2007.

Meetings with all three subcommittees were held on March 20-21, 2007. Environmental Health has prepared minutes of these meetings which were distributed to all subcommittee members for review and comments. Environmental Health will continue to work with members of the subcommittees. Updates on the work of the subcommittees are included under Recommendation 6 in this report.

On March 29, 2007, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending legislation regarding sewage spills. The departments also exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County beaches, including Long Beach. We committed to work together cooperatively on all elements of sewage spill reporting and disclosure.

Environmental Health staff met with ISD information technology staff on April 4, 2007, to discuss the technical/software expansion capabilities of the current audio-data emergency call system.

On May 24, 2007, Environmental Health met with staff from ISD's Information Technology Service (ITS) and Customer Assistance Division (CAD). The purpose of the meeting was to discuss the need for a reporting system which is completely auditable, (i.e., all calls/conversations are time stamped and recorded). The reporting system will be required to track and record initial reports (i.e., receipt of report to Environmental Health) and any subsequent actions taken by Environmental Health (i.e., referral to other Environmental Health programs or other responsible agencies).

At this meeting, ISD outlined a proposal to improve tracking of sewage spill reports using a three-phase approach.

- Phase I features the ability of ISD's current incident tracking system (HP ServiceCenter) to record all sewage related calls/conversations (voice clips) and attach them to a sewage spill report (e.g., 6-digit ticket number). ISD is currently developing a ServiceCenter data entry form that will allow the County Operator to populate spill information at the time the call is received. Environmental Health will have access to the ServiceCenter ticket application in order to make journal entries and modify/update information contained in the initial sewage spill report.

Using a proposed Voice Print application, the County Operator would manually "tag" all voice clips to the sewage spill ticket number. The sewage spill ticket number will be established by the County Operator at the time the call is received.

The existing emergency phone number (213.974.1234) will allow reporting agencies and members of the general public to report sewage spill incidents or other types of emergencies (e.g. restaurant fires, carbon monoxide incidences, lack of hot/running water in residential units, etc.).

Additionally, a dedicated telephone number will be put in place strictly for Environmental Health staff to update and record spill information. This will bypass the public number (213.974.1234) and will be accessible to Environmental Health staff via numerical password.

In order to ensure that all voice clips remain assigned to a specific sewage spill ticket number, the County Operator will be required to stay on the line during all subsequent follow-up conversations held by Environmental Health. The call center will utilize the ServiceCenter application, which is available 24 hours/7 days a week, in replacement of the Startel system currently used by ISD to receive sewage spills during weekend and after hours.

Phase II, which ISD states they will be able to deploy at the start of November of 2007, will provide software modification and programming that will allow the County Operator to electronically "tag" voice clips to a particular sewage spill ticket with a single click of a button. In addition, ISD will create an interface between the ServiceCenter system and Environmental Health's web-based database so that a "sub-set" of the ServiceCenter ticket number will be "pushed" out to create the initial record on Environmental Health's system. Any updates made to the ServiceCenter ticket, if appropriate, will be sent out to update the incident on Environmental Health's system. This application will not affect the ability of the public to access Environmental Health's web-based data-base to view and query sewage spill reports.

- In Phase III, ISD will replace the existing application with a more advanced communications technology. The new technology will enable the system to automatically “tag” the voice recording/clip to the sewage spill ticket. This system will be based on VoIP and Cisco’s IPCC (IP Call Center) technology.

ISD is developing a cost estimate to account for all three phases and a department service order (DSO) as needed.

ISD conducted testing of the VoicePrint application (VPAppend) and training of County operators on how to access the ServiceCenter screen, populate sewage spill ticket information, and enter the correct flagging information for the voice clips using VPAppend.

On September 27, 2007, representatives from Public Health, the Internal Services Department (ISD) and the Auditor-Controller’s Office met with the Public Health Commission to present an overview and status of the sewage spill reporting/tracking system. ISD indicated that all sewage spill calls/conversations are being recorded and attached to a sewage spill ticket number using the voice print application. ISD is currently finalizing the ServiceCenter screen in order to create an interface between the ServiceCenter tracking system and Environmental Health’s web-database. By early November, Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of modifying and updating information contained in the initial sewage spill ticket.

ISD expects to implement Phase I and II solutions by November 2007. In keeping with the Public Health Commission’s request that Environmental Health work with ISD to shorten the implementation timeline, Phase III is expected to deploy in February 2008, approximately four months ahead of the initial estimated implementation date.

5. **To make the timeframe determined above an enforceable requirement in Los Angeles County, the Board of Supervisors consider requesting the Los Angeles Regional Water Quality Control Board to amend the Wastewater Discharge Requirements to include a requirement that specifies when the County’s Public Health Officer should be notified of a sewage spill.**

To implement Section 4 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter to the Los Angeles Water Quality Control Board on April 4, 2007, requesting that they:

- a. Amend the Los Angeles County National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements to require sewer system owners/operators to implement the Auditor-Controller’s recommendations;
- b. Convene a work group of key stakeholders to develop specific maintenance standards for owners/operators of sanitary sewer systems in the County; and
- c. Seek appropriate authority and funding to create and operate an ongoing independent sanitary sewer collection system monitoring program which would monitor sanitary sewer owners/operators for compliance with established maintenance standards and would include a written report on the monitoring results.

6. **The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of all County representatives that should be notified following a sewage spill.**

Environmental Health staff received and reviewed comments provided by members of all three subcommittees. After the subcommittees submitted their comments, the Department of Public Health, in consultation with the City of Los Angeles Bureau of Sanitation, Los Angeles County Sanitation Districts, and the Los Angeles County Department of Public Works, developed a survey letter and mailed it on July 6, 2007 to the all contract cities and various sewer agencies. The purpose of the letter and survey is to 1) remind cities regarding their obligations under the California Health and Safety Code to report sewage spills in their jurisdiction to this Department, 2) advise all affected parties of the single 24 hour reporting telephone number (currently County Emergency Operator) 3) provide information as available on the proposed new regional call center, and 4) solicit comments as to what current policies/practices exist regarding sewage spill reporting procedures/requirements for sewer contractors, wastewater treatment plant operators and collection system personnel.

The results of this survey will assist staff in developing an educational program for owners/operators of sanitary sewer systems, as well as the development and distribution of information explaining how the general public can file a sewage discharge report. As of October 15, 2007, Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff has begun drafting the brochures based on the information compiled from the survey, and will continue accepting responses throughout development of the educational plan.

On September 27, 2007, Environmental Health met with the Public Health Commission to provide an overview of the proposed educational program. The primary component of the education plan is to distribute sewage spill brochures to sewer contractors and owners of commercial food establishments and residential dwellings. The brochures will provide information on common causes and prevention methods for sewage discharges, the environmental and public health impact of discharges, and the reporting responsibilities including where/how to report discharges.

Environmental Health will also develop a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate wastewater personnel on proper reporting and notification procedures.

On October 11, 2007, Environmental Health met with the Public Health Commission and presented drafts of educational brochures for their review and comment.

7. **The Board of Supervisors consider seeking an amendment to the Water Code to include a requirement that the local public health officer be immediately notified in the event of a sewage spill.**
8. **The Board of Supervisors consider seeking a change in State law to permit civil fines to be imposed on persons who do not immediately notify the local public health officer when a sewage spill occurs.**

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Administrative Office and the County's legislative advocates have worked closely with the legislators on these issues. Department staff traveled to Sacramento several times to testify in support of AB 800. On October 10, 2007, AB 800 was signed into law by Governor Schwarzenegger.

9. **Board of Supervisors instruct the Department of Public Health to provide the County operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.**

10. **Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.**

On February 13, 2007, the County Operator was given a written memo, with the names and home, cellular and pager numbers for staff responding to weekend and after hours sewage discharge reports. The County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. A total of seven names have been provided to ensure a timely and appropriate response. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members of the seven to be on-call and reachable on a rotating basis, via home/cellular phone and pager, to respond as appropriate.

The County Operator was instructed to:

- Report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage.
- Report all sewage discharges to Environmental Health received during normal, weekend, or after hours.
- Continue the reporting process until an Environmental Health employee is reached rather than leave a message.

Prior to receiving the February 13th memo, the County Operator only reported discharges to Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges of less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.

On March 13, 2007, Environmental Health staff met with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.

On March 16, 2007, the County Operator was given documents that revised the list of emergency call responders along with instructions clarifying Environmental Health's emergency protocol.

On June 29, 2007, a memo was sent to the County Operator informing them of the new sewage spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/7 days a week, which became effective July 1, 2007. The County Operator was also provided with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December of 2007.

11. **The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize the reporting and tracking of all sewage spills within the Department's Recreational Health Program.**

On February 1, 2007, all staff members of the Recreational Health Program were trained on protocols for receiving sewage discharge reports from responsible agencies or the County Operator.

Environmental Health has developed a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing or food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where the sewage is going from private property onto the street. In this manner, sewage discharges from any source that may potentially impact waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program. On March 16, 2007, a directive was issued to Environmental Health staff that implements these reporting procedures. These reporting procedures were reinforced during meetings with unit supervisors on March 29.

On March 15, 2007, Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.

Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity.

On May 3, 2007, staff from the Water Quality Program met with Chiefs from the Housing Inspection Bureau. Water Quality staff clarified the sewage discharge reporting requirements expected of Housing Inspection Bureau staff responding to sewage discharges that may occur in the community. An updated sewage discharge reporting form was distributed.

On August 22, 2007, a memo was sent to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo was to describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwellings. The memo also advised the Commission that Environmental Health is in discussions with various sewer agencies and municipalities regarding their protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.

12. The Board of Supervisors instruct the Department of Public Health to require Recreational Health Program to immediately begin documenting and tracking all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.

As reported to you in our February 6, 2007 memorandum, Environmental Health established a database of sewage spill reports (from 2002 to the present) that includes such information as the date of report, location, start and end time, reporting party, cause and actions taken. The information is color coded to indicate significant reporting delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure. This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.

The following table identifies the number of sewage discharges and beach closures that were reported to Environmental Health since January 1, 2007:

Reporting month	Number of Sewage Discharge Reports	Number of Beach Closures
January	21	1
February	44	3
March	61	0
April	88	0
May	69	1
June	58	1
July	62	1
August	56	0
September	51	0

A web-based sewage discharge tracking database, which allows Environmental Health staff to seamlessly post updated information on the Environmental Health website was activated on May 1, 2007. This website allows users to query sewage discharges from April 12, 2007 by city, zip code, month, year, and gallons. Historical data prior to April 12, 2007 is archived and viewable. On May 1, 2007, Environmental Health incorporated into their database a system by which a tracking number will be automatically assigned to each discharge report. In response to suggestions from the Public Health Commission at its September 27, 2007 meeting, Environmental Health has also made revisions to the website to make it more user-friendly. *These revisions include uniform time reporting for all incidents and information pop-ups defining each reporting column.*

On August 21, 2007, a letter was mailed to the Governor's Office of Emergency Services (OES) requesting assistance in reconciling records regarding sewage spill reporting in Los Angeles County. OES was provided with a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since January 1, 2007.

On September 14, 2007, staff from OES contacted Environmental Health staff in response to the August 21, 2007 letter. Preliminary discussions indicate that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as the Los Angeles County Fire Department Health Hazardous Materials Division. Environmental Health is working closely with OES to resolve this reporting oversight. OES indicated that as of July 1, 2007, all sewage spills reported will be referred to Environmental Health. OES further indicated that they will respond to the August 21, 2007 letter and will supply information necessary to reconcile reports prior to July 1, 2007.

15. **The Board of Supervisors instruct the Department of Beach and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.**

The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation District the week of February 19, 2007. The Department of Beaches and Harbors advised that a claim was filed on March 5, 2007.

14. **The Board of Supervisors consider requesting the Governor to appoint someone with an expertise in public health to fill the vacant membership position on the Los Angeles Regional Water Board.**

15. **The Board of Supervisors consider seeking an amendment to the Water Code to require that at least one of the Water Board's seven membership categories include someone with a public health background.**

To implement Section 3 of the motion approved by the Board on January 30, 2007, the Executive Officer sent a letter, signed by the Board, with the Auditor-Controller's Report, to Governor Schwarzenegger and the Los Angeles County Legislative Delegation on April 4, 2007, requesting amendments to State law to:

- a. Require that the local health officer be immediately notified in the event of a sewage spill,
- b. Permit civil fines to be imposed on persons who do not immediately make that notification, and
- c. Require at least one Water Board member to have a public health background.

The Board further requested an investigation into whether the problems Los Angeles County experienced in reporting and documenting potentially harmful sewage spills as required by law are also occurring elsewhere in the State.

AB 800 by Assembly Members Lieu, Brownley, and Krekorian, is the County-sponsored bill designed to implement these recommendations. The Chief Administrative Office and the County's legislative advocates have worked closely with the legislators on these issues. A motion by Supervisors Knabe and Yaroslavsky which was adopted by the Board on May 15, 2007, instructed the County's legislative advocate to continue to pursue the addition of a member with public health expertise on the Water Board separately from the County's efforts as the sponsor of AB 800.

On October 10, 2007, AB 800 was signed into law and requires a person, without regard to intent or negligence, who permits or causes the discharge of sewage or waste in or on any waters of the state to notify the appropriate local health officer (LHO) or director of environmental health (DEH) as soon as the person has knowledge of the discharge, and requires the Office of Emergency Services (OES) to immediately notify the appropriate LHO or DEH. The law requires the LHO or the DEH, upon receiving notification of the discharge, to determine whether notification of the public is required to safeguard public health and safety.

16. **The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.**

On April 3, 2007, the Board approved this additional recommendation. Public Health staff have held preliminary discussions with the Public Health Commission to understand the scope of locations which might be covered by such state laws. On June 28, 2007, Environmental Health staff met with County Counsel to discuss this recommendation and to determine whether additional legislation is needed for sewage spills that discharge or have the potential to enter into dry riverbeds.

On August 6, 2007, County Counsel provided its advice that the determination of whether a dry river bed would be considered part of the "waters of the state," will likely be a factual determination based on whether the dry river bed becomes wet with some frequency. However, due to the uncertainty that this case-by-case analysis may entail, the County may wish to consider and implement alternative means of enforcement and notification procedures.

Action Plan Auditor-Controller's Recommendations

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
4	The Board of Supervisors instruct the Department of Public Health, in collaboration with interested environmental groups and sewer system owners/operators, the Department of Beaches and Harbors, Fire Department/Lifeguard Division, and Los Angeles Regional Water Quality Control Board, to define the mandatory time frame for reporting a sewage spill to the County's Public Health Officer.	DPH	<p>Environmental Health staff met with Rita Robinson and key staff from the LA City Bureau of Sanitation to discuss spill reporting procedures and implementation concerns.</p> <p>Public Health staff met with all stakeholders to review the Board's motion and action, review the Auditor-Controller's report, review current legislation regarding sewage spill reporting, review actions taken to date in response to the Board's motion and Auditor-Controller's report, and to discuss preparation of a draft response plan to address the Board's motion and Auditor-Controller's recommendation.</p> <p>A letter was mailed to the cities of Pasadena, Vernon, and Long Beach requesting that sewage discharges which take place in their respective jurisdiction and have the potential to enter Los Angeles County Jurisdiction be reported to the Los Angeles County Health Officer.</p>	<p>EH staff shared reporting procedures and exchanged contact information of key personnel to ensure effective communication and actionable information during sewage spill reporting.</p> <p>At this meeting, three subcommittees were formed for the purpose of 1) determining spill reporting timeline requirements, 2) developing a contractor notification/reporting policy, and 3) developing a regional call center.</p>	<p>Subcommittees scheduled to meet within 30 days</p>	<p>Completed Meeting held on 2-14-07</p> <p>Completed Meeting held on 2-23-07</p> <p>Completed Letter mailed on 2-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Environmental Health staff met with members of all three subcommittees. Environmental Health has prepared reports to memorialize the discussion and findings derived from these meetings. These reports were distributed to all subcommittee members for review and comment.</p> <p>Public Health staff are scheduled to meet with the Long Beach Health Officer to discuss inter-jurisdictional sewage spill notification, a proposal for a regional call center, and pending regulation regarding sewage spills.</p>	<p>Further research analysis is required regarding the Service Center Program and time stamping capabilities.</p> <p>Environmental Health will continue to work with members of the subcommittees, and will provide the subcommittee's responses in the next monthly report.</p> <p>At this meeting, Dr. Fielding and key department staff met with Ronald Arias (City of Long Beach Health and Human Services Director), Darryl Sexton (City of Long Beach Health Officer), Jeff Benedict (City of Long Beach Environmental Health Director), and other Long Beach staff. The departments exchanged information on issues affecting water quality and uniform standards for grading Los Angeles County Beaches. We committed to work together cooperatively</p>	<p>Meeting scheduled for 3-13-07</p> <p>Meeting is scheduled for 3-29-07.</p>	<p>Completed Meeting held on 3-13-07</p> <p>Meetings were held on March 20-21, 2007.</p> <p>Completed Meeting held on 3-29-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff is scheduled to meet with ISD Information Technology (IT) staff to discuss the technical/software expansion capabilities of the current audio-data and emergency call system.</p> <p>Environmental Health staff is scheduled to meet with staff from ISD's Information Technology Service and Customer Assistance Division to discuss a proposal to improve tracking of sewage spill using a three-phase approach.</p> <p>Environmental Health and ISD are scheduled to meet with the Public Health Commission to provide an overview and status of the call center.</p>	<p>on all elements of sewage spill reporting and disclosure.</p> <p>This is a follow-up meeting to secure technical information regarding ISD call center expansion capability as well as information in which to draft scope-of-work specifications for RFP contractor operated regional call center.</p> <p>ISD is developing a cost estimate to account for all three phases and a Department Service Order (DSO) as needed.</p> <p>ISD indicated that all sewage spill calls and conversations are being recorded and attached to a sewage spill ticket number using the voice print application.</p>	<p>Meeting is scheduled for 4-4-07.</p> <p>Meeting is scheduled for 5-24-07.</p> <p>Meeting is scheduled for 9-27-07.</p>	<p>Meeting held on 4-4-07.</p> <p>Meeting held on 5-24-07.</p> <p>Meeting held on 9-27-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>ISD is currently finalizing the ServiceCenter tracking system and Environmental Health's web-database.</p> <p>Full implementation of Phase I and II solutions.</p> <p>Full implementation of Phase III solution.</p>	<p>By early November, Environmental Health staff will have access to the ServiceCenter ticket application for the purpose of modifying and updating information contained in the initial sewage spill ticket.</p> <p>Environmental Health is working with ISD to explore the possibility of shortening the implementation timeline.</p>	<p>Early November of 2007.</p> <p>November, 2007</p> <p>ISD indicated that Phase III is expected to deploy in February of 2008, approximately four months ahead of the initial estimated implementation date.</p>	

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
6	The Board of Supervisors instruct the Department of Public Health, in consultation with the Public Health Commission, to develop an educational program for owners/operators of sanitary sewer systems, which shall include, but not limited to, clarification on how soon the public health officer must be contacted after a spill and the names and telephone numbers of ally County representatives that should be notified following a sewage spill	DPH	<p>After the three sub-committees make their recommendations, the Department of Public Health, in consultation with the Public Health Commission, will develop educational materials and distribute them to all owners/operators of sanitary sewer systems in the County. The Department will also develop and distribute information explaining how the general public can file a sewage discharge report.</p> <p>Environmental Health will develop a survey letter and distribute it to all contract cities to determine what current practices/policies exists regarding sewage spill reporting for sewer contractors, wastewater treatment plant operators, and collection system personnel.</p> <p>Environmental Health is scheduled to meet with the Public Health Commission to provide an overview of the proposed educational program.</p>	<p>The period for subcommittee comments has elapsed and Environmental Health staff has incorporated comments and recommendations into the survey letter,.</p> <p>Upon review of survey responses, Environmental Health will contact the Public Health Commission to present an outline of the proposed education plan for review and comment.</p> <p>As of 9-28-07, Environmental Health received 34 of 90 surveys that were distributed to various sewer agencies. Staff has begun drafting the brochures based on the information compiled from the survey, and will continue accepting responses throughout development of the educational program.</p>	<p>Meeting is scheduled for 9-28-07</p>	<p>Survey letter mailed to all contract cities and various sewer agencies on 7-6-07</p> <p>Meeting held on 9-28-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health is scheduled to meet with the Commission to provide drafts of the sewage spill brochures.</p> <p>Environmental Health will also develop a poster that will be distributed to various sewer agencies that own/operate sewage pump stations. The intent of the poster is to educate personnel on proper reporting and notification procedures.</p>	<p>Environmental Health will provide the Public Health Commission with a draft of the poster for review and comment.</p>	<p>Meeting is scheduled for 10-11-07</p> <p>Meeting scheduled for 10-25-07</p>	<p>Completed Meeting held on 10-11-07.</p>
9	The Board of Supervisors instruct the Department of Public Health to provide the County Operator with an emergency contact list that contains the names and telephone numbers of at least three employees who will be on-call to receive reports of sewage spills after normal business hours and to ensure that the contact list is always accurate and up-to-date.		<p>The County Operator has been provided in writing with the names and home, cellular and pager numbers for staff responding to weekend and after-hours sewage discharge reports. If a sewage discharge report is received after hours during the work week, the County Operator is instructed to contact everyone on the list provided by Environmental Health until a "live" person is reached. If a sewage discharge report is received on the weekend, Environmental Health has assigned two staff members to be on-call and reachable, via home/cellular phone and pager, to respond as appropriate.</p> <p>The County Operator was provided with a list of seven employees, each with three modes of communication, who can be called to receive after-hour reports.</p> <p>The County Operator was provided with a monthly calendar of the employees who will be on-call to receive reports of sewage spills during weekend hours (Friday at 5:30 pm to Monday at 7:00 am).</p>			<p>Completed. Letter mailed on 2-13-07.</p> <p>Completed. Letter mailed on 2-14-07.</p> <p>Completed. Letter mailed on 3-16-07</p>

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No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
10	Board of Supervisors instruct the Department of Public Health to instruct the County Operator in writing to report all sewage spills to an employee listed on the emergency contact list and to make repeated telephone calls if necessary until an employee is reached, and to discontinue the practice of leaving messages on voicemail or answering machine systems.		<p>The County Operator has been instructed to report all sewage discharges to Environmental Health regardless of the amount or location of the sewage discharge or the disposition of sewage; report all sewage discharges to Environmental Health received during normal, weekend or after hours; and continue the reporting process until an Environmental Health employee is reached rather than leaving a message.</p> <p>Environmental Health staff is scheduled to meet with ISD staff from the Customer Assistance Division (which includes the emergency operator unit), to discuss the automated notification system and clarify Environmental Health's emergency call list and procedures.</p> <p>Provide the County Operator with the revised list of emergency call responders, along with instructions clarifying Environmental Health's emergency protocol.</p>	<p>Prior to the 2-13-07 memo, the County Operator only reported discharges Environmental Health on the same day that the Operator received initial notification of the spill if the discharges were 1,000 gallons or more. When receiving reports of discharges less than 1,000 gallons, the County Operator would notify Environmental Health the next business day.</p>	3-13-07	<p>Letter mailed on 2-13-07.</p> <p>Meeting held on 3-13-07.</p> <p>Completed. Letter mailed on 3-16-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			Provide a memo to the County Operator informing them of the new spill reporting requirements and reminding them of their responsibility to receive all sewage discharge reports 24 hours/day, 7 days a week, which became effective July 1, 2007. Environmental Health will also provide the County Operator with a revised list of emergency call responders along with the weekend/holiday standby schedule for the months of July through December 2007.		6-29-07	Completed. Letter mailed on 6-29-07.
11	The Board of Supervisors instruct the Department of Public Health to develop policies and procedures to centralize reporting and tracking of all sewage spills within the Department's Recreational Health Program.		<p>Provide training to all staff members of the Recreational Health Program to receive sewage discharge reports from the County Operator and responsible agencies.</p> <p>Environmental Health reorganized the Recreational Health Program to form the Pool Inspection Program and the Water Quality Program.</p> <p>Newly assigned Environmental Health staff to the Water Quality Program are currently being trained on procedures for collecting ocean water samples and emergency response in order to increase response capacity</p>	This action will provide specific focus and responsibility to staff assigned to the Water Quality Program in the areas of fresh and ocean water quality monitoring, including implementing actions when water quality standards are not met, such as related to sewage spills and discharges.		<p>Completed. Training provided on 2-1-07.</p> <p>Completed on 3-12-07</p> <p>Initial training on 3-12-07 and ongoing for remaining staff</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Environmental Health staff assigned to the Water Quality Program were trained on protocols for receiving sewage discharge reports from the County Operator and/or responsible agencies.</p> <p>Environmental Health will develop a Sewage Discharge Incident Report Form that will be utilized by all Environmental Health units that respond to sewage discharge incidents from sources other than those agencies required to report discharges. For example, housing and food inspectors may learn of a sewage discharge from a multi-family housing complex or a restaurant where sewage is going from private property on to the street.</p> <p>A directive was distributed to all Environmental Health Bureau Directors that standardizes the reporting procedures for sewage discharges for all units of Environmental Health. This directive ensures that sewage discharges from any source that may potentially impact state waters, if known to any unit of Environmental Health, will be reported to the Water Quality Program.</p> <p>Environmental Health is scheduled to meet with representatives from the Auditor-Controller's Office to discuss the Board motion and the Auditor-Controller's report, with emphasis on those recommendations in which Public Health is accountable for completing.</p>	<p>This action will enhance Environmental Health's response to sewage discharges that may potentially have impact on ocean waters as discharges not addressed through requisite reporting agencies will be accounted for.</p> <p>At this meeting, Environmental Health will provide an overview on the actions taken to date and direction in which the Department was headed.</p>	7-10-07	<p>Completed Training provided on 3-15-07</p> <p>Completed on 3-16-07</p> <p>Meeting held on 3-29-07.</p> <p>Meeting was held on 7-10-07</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
			<p>Provide the Auditor-Controller with copies of letters, meeting minutes, recommendations, monthly reports to the Board, etc. as requested during the 7-10-07 meeting.</p> <p>Provide a memo to the Public Health Commission to address concerns regarding sewage discharges in public streets. The purpose of the memo is to 1) describe the protocols used by Environmental Health staff when responding to sewage discharges that occur at commercial properties and single/multiple family dwelling units and 2) inform the Commission that Environmental Health is in discussion with various sewer agencies regarding protocols for responding to sewage discharges, including procedures for clean-up of sewage on public property.</p>		8-22-07	<p>Completed on 7-13-07</p> <p>Completed memo emailed on 8-22-07.</p>
12	The Board of Supervisors instruct the Department of Public Health to require the Recreational Health Program to immediately begin documenting and tracking of all reports of sewage spills, and providing reference/tracking numbers to persons reporting sewage spills.		<p>Environmental Health established a database of sewage spill reports (from 2002 to present) that includes such information such as the date of report, location, start and end time, reporting party, and cause and actions taken. The information is color coded to indicate significant report delay, reported to Public Health (Environmental Health), amount of spill, amount contained, whether the spill reached the ocean, and if discharge into ocean was insignificant or required beach closure.</p> <p>Environmental Health staff met with staff from Public Health Web Infomatics to establish a web-based sewage tracking database. This database will allow Environmental Health to seamlessly post updated information on the Environmental Health website.</p>	<p>This information is currently being posted on the web as a PDF file and Environmental Health staff is updating it on a weekly basis.</p> <p>The website will allow a user to query sewage spills based on certain parameters.</p>		<p>Updated and posted weekly (on Fridays).</p> <p>Completed Meeting held on 3-1-07.</p>

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET	STATUS
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			DATES	
		Environmental Health has begun testing of the new web-based database.	Initial testing has revealed several deficiencies that require resolution before implementation. As a result, a revised version was provided to Environmental Health on 3-28-07 for additional testing.	If the database meets Environmental Health needs, posting of the database on the EH website is expected to be completed by 6-01-07.
		Provide a letter to the Governor's Office of Emergency Services (OES) requesting them to assist Environmental Health in reconciling records regarding sewage spill reporting in Los Angeles County. Provide a list of sewage spills of 1,000 gallons or more that have been reported to Environmental Health since 01-01-07.	On 8-21-07, staff from OES contacted Environmental Health staff in response to the 8-1-07 letter. Preliminary discussions indicated that sewage spills reported to OES were subsequently referred to agencies other than Environmental Health, such as LA County Hazardous Materials Division.	Completed. Web-based database activated on 5-01-07.
		EH is working closely with OES to resolve reporting oversights. OES indicated that as of 7-1-07, all sewage spills reported will be referred to EH	* OES indicated that they will respond to the 8-1-07 letter and will supply information necessary to reconcile reports prior to 7-1-07.	In progress

No.	RECOMMENDATION	LEAD	ACTION	ISSUES/COMMENTS	TARGET DATES	STATUS
13	The Board of Supervisors instruct the Department of Beaches and Harbors and the Fire Department to submit a reimbursement claim to the Los Angeles County Sanitation Districts for costs incurred in responding to the January 2006 Manhattan Beach sewage spill.	Dept. of Fire and Beaches and Harbors	<p>The Fire Department advised that a claim was submitted to the Los Angeles County Sanitation Districts.</p> <p>The Department of Beaches and Harbors advised that a claim was submitted to the Los Angeles County Sanitation Districts.</p>			<p>Completed during the week of 2-29-07.</p> <p>Completed on 3-5-07.</p>
16	The Board of Supervisors instruct the Department of Public Health, in conjunction with the Public Health Commission, the Auditor-Controller, and County Counsel to determine whether new State laws are needed to ensure the protection of public health when sewage spills discharge into dry riverbeds that are near residential communities.		<p>Environmental Health met with County Counsel to discuss this recommendation.</p> <p>County Counsel provided its opinion that dry riverbeds are "waters of the state," if they become wet with some frequency. Because of the uncertainty of the case-by-case analysis, the County may wish to consider and enforce alternative procedures.</p>	<p>Environmental Health will consult with the other departments to determine whether any alternative procedures are necessary.</p>		<p>Completed Meeting was held on 6-28-07</p> <p>County Counsel provided opinion on 8-6-07</p>